

Management System Description: Contracting and Financial Assistance

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1.0 Purpose

The purpose of the Environmental Management Consolidated Business Center (EMCBC) Contracting and Financial Assistance Management System is to ensure the most efficient and effective contracting and financial assistance processes are in place to support the EMCBC and Small Sites, and more broadly, the DOE Office of Environmental Management (EM) Complex in acquisition and financial assistance planning, solicitation, award, administration, and closeout. Procurement authority within the Department flows from the Secretary of Energy to the DOE Senior Procurement Executive. The DOE Senior Procurement Executive has re-delegated this authority to the Deputy Assistant Secretary for Acquisition and Project Management as the EM Head of Contracting Activity (HCA). The EM HCA, in turn, has made further delegations of procurement authority to the EMCBC Office of Contracting (OOC) Assistant Director and formal contracting officer appointments within the contracting activity. These delegations are formal written delegations containing dollar limitations and conditions.

In addition to the procurement authorities delegated to the OOC Assistant Director, the EMCBC OOC serves as the EM Acquisition Center (EMAC), taking a lead role in EM Head of Contracting Authority (HCA) duties, providing pre/post-award support to all EM program activities and to other DOE programs as requested, which includes cost and price analysis resources, procurement and financial assistance policy and systems support, and contractor human resources management support functions. The [*HCA Directive 1.3, EM Acquisition Center Concept of Operations*](#) details the high-level vision of the acquisition life-cycle, roles and responsibilities, and oversight for major EM acquisitions.

Procurement and financial assistance policy is generally contained in the Federal Acquisition Regulation (FAR), the DOE Acquisition Regulation (DEAR) (DOE supplement to the FAR), DOE Financial Assistance Regulation, DOE Acquisition Guide, DOE Acquisition Letters and DOE Orders and Directives. The information and guidance contained in the documents supporting this management system are to be consistent with the regulatory guidance provided in the FAR, DEAR, and DOE Financial Assistance Regulation. In the event of inconsistencies between the information provided in this management system and provisions of regulatory guidance, the regulatory guidance prevails. Please report any apparent inconsistencies to the Management System Owner (MSO).

2.0 Responsibilities

The table below represents roles and responsibilities specific to this Management System. For a detailed description of CBC MS roles and responsibilities, please see the CBC MS FRA.

Roles	Responsibilities
<p>DOE Senior Procurement Executive</p> <p>NOTE: The Senior Procurement Executive for the DOE is the Director, Office of Procurement and Assistance Management.</p>	<ul style="list-style-type: none"> • Appointed as the Agency Official to meet the requirements of 41 U.S.C. Section 1702, Chief Acquisition Officers and Senior Procurement Executives. • Manages the direction of the DOE Acquisition and Financial Assistance Systems, including implementation of DOE's unique acquisition and financial assistance policies, regulations (i.e., DEAR, DOE Financial Assistance Regulation), and standards. • Ensures that there is clear authority for carrying out efficient and effective procurement and financial assistance policies. • Issues DOE acquisition and financial assistance policies and procedural guidance. • Appoints the EM Head of Contracting Activity. • Approves deviations to the FAR and to the DEAR. • Approves or denies requests for class deviations. • Authorizes procurement and financial assistance actions that exceed the delegated authority of heads of contracting activities.
Contracting Activity	<ul style="list-style-type: none"> • An element of the agency, such as EM, that is so designated by the Senior Procurement Executive and delegated broad authority for acquisition and financial assistance functions.
EM HCA	<ul style="list-style-type: none"> • Appointed as the Agency Official with overall responsibility for managing EM's Contracting Activity. • Certifies Contracting Officers at the EMCBC, Portsmouth/Paducah Project Office (PPPO), Carlsbad Field Office (CBFO), Office of River Protection, Richland Operations Office, and Savannah River Operations Office. • Delegates certain delegable HCA authorities to the EMCBC Director and EMCBC Assistant Director, OOC. The HCA authorities that have been delegated are only those within the scope of his or her responsibility. Certain HCA authorities cannot be delegated.

EMCBC Director	<ul style="list-style-type: none"> • Delegated the authority and responsibility as the Fee Determination Official for site facility management contracts. • Delegated the authority to carry out actions delegated to the EM HCA in Departmental directives for delegable non-acquisition activities that have not been specifically reserved for or by the EM HCA. • Functions delegated to the EMCBC Director are designated as Field Office Manager (FOM) delegations in the formal delegations found in the DOE EMCBC Service Plan.
EMCBC Assistant Director, OOC	<ul style="list-style-type: none"> • Delegated Federal Procurement Director (FPD) authority and responsibilities for procurement/contract actions at EMCBC, PPPO and CBFO. • Delegated procurement authority assigned to the HCA in the FAR, the DOE Acquisition Regulation, and Departmental directives and guidance, exclusive of those explicitly referenced as non-delegable or specifically reserved for or by the EM HCA. • Appointed as Competition Advocate for EMCBC (including PPPO and CBFO) (FAR 6.5) • Functions delegated to the EMCBC Assistant Director, OOC are designated as FPD in the formal delegations found in the DOE EMCBC Service Plan.
Source Selection Authority (SSA)	<ul style="list-style-type: none"> • Appointed as the Agency Official in charge of selecting a source or sources in a competitive acquisition; sometimes referred to as Source Selection Official or SSO. • The title commonly applies in the formal source selection process, when the official is someone other than the Contracting Officer. • Establishes a Source Evaluation Board and considers the analyses of the Source Evaluation Board in making a source selection. • Involved in the contract planning, solicitation, and award process.
Source Evaluation Board (SEB)	<ul style="list-style-type: none"> • Responsible for the contract planning, solicitation, and award process for procurements. • SEB activities are defined in the FAR, DEAR, and Chapter 15 of the DOE Acquisition Guide.

Contracting Officer (CO)	<ul style="list-style-type: none"> Appointed Agency employee with the authority to legally bind the Government by signing a contractual or financial assistance instrument. Refer to the <i>Authority</i> section under <i>Career Development, Contracting Authority, and Responsibilities</i> in FAR 1.6 and 10 CFR 600. Authorized to enter into, administer, and/or terminate contracts and financial assistance instruments and make related determinations and findings. Ensures performance of all necessary actions for effective contracting and financial assistance, ensuring compliance with the terms of the contract or instrument, and safeguarding the interest of the Government in its contractual/assistance relationships. Warranted in writing by the HCA. (See HCA Directive 1.1, HCA Approval of Contracting Officer Warrants)
Contracting Officer's Representative (COR)	<ul style="list-style-type: none"> An Agency employee designated in writing by a CO to perform certain delegated activities as the authorized representative of a CO within the scope of his or her authority. Normally interacts directly with the contractor on matters related to technical aspects of contractor performance.
Contracting, Acquisitions and Assistance Divisions A and B	<ul style="list-style-type: none"> Supports EM through the effective acquisition of supplies and services that meet EM customer and departmental goals and requirements.
Contract Management Division	<ul style="list-style-type: none"> Manages and administers contractual and financial assistance instruments that meet EM customer and departmental goals and requirements.
Contract Cost and Pricing Division	<ul style="list-style-type: none"> Provides support in pre-award and post-award contract and financial assistance cost and pricing actions that include but are not limited to, evaluating cost and/or price proposals, contract changes, re-pricing actions and final contract pricing, analyzing estimated costs for realism and reasonableness. Assists the CO in establishing the pre-negotiation pricing position, the final negotiation objectives, and assists in conducting final price negotiation.
Policy and Contractor Human Resources Management	<ul style="list-style-type: none"> Provides procurement and financial assistance policy, operating procedures, and guidelines.

Division	<ul style="list-style-type: none"> • Manages and implements the following programs: <ul style="list-style-type: none"> ➢ Small Business Program; ➢ Purchase Card Program; ➢ Balanced Scorecard Program; and ➢ Acquisition Career Development Program. • Coordinates the completion of Headquarters and field offices data calls. • Collects and analyses procurement data for the completion of competition advocate reports and procurement/financial assistance data validation reports. • Administers procurement and financial assistance writing and reporting systems. • Manages contractor human resources issues, including but not limited to actuarial assessment of contractor pension, medical and other postretirement benefit programs, contractor employee welfare programs, contractor training, contractor workforce transition programs and contractor labor issues in accordance with DOE Order 350.1.
Independent Contract Review Team	<ul style="list-style-type: none"> • Conducts independent reviews of procurement, financial assistance, sales, and subcontract actions completed by the EMCBC and supported sites under the authority of the EM HCA to ensure that procurement actions are completed in compliance with statute, regulations, policy and local guidance, and meet mission requirements.

3.0 Management System Operation

3.1 Overview

The Contracting and Financial Assistance Management System contains two major process areas; one for contracting actions (pre- and post-award) and one for financial assistance actions (grants and cooperative agreements). In the contracting area, this management system establishes the basic processes for contract acquisition planning and award, contract management and administration, and contract closeout. The Contracting and Financial Assistance Management System is dependent on several of the other EMCBC Management Systems to review, evaluate, and determine applicable DOE requirements for contracts. As in the area of contracting, this management system establishes processes for the pre-award, award, and post-award of grants and cooperative agreements.

The EMCBC contracts for a large variety of services and products to support EM missions. These may include, but are not limited to, environmental remediation, decontamination and decommissioning, environmental characterization, facility operation and maintenance, technical

and support services, construction, utilities, and supplies. There are several options for the manner in which these services and projects may be obtained, ranging from a definitive contract, to an existing contractual vehicle established by DOE or another Federal agency, to use of an Interagency Agreement with another Federal agency, or by the Simplified Acquisition procedure if the purchase is below the simplified acquisition threshold (\$150,000).

It is the policy of DOE that the use of the Strategic Integrated Procurement Enterprise System (STRIPES) is mandatory for all DOE elements for the award and administration of all unclassified DOE contracts (includes Indefinite Delivery Contracts and associated task orders), Federal Supply Schedule orders, purchase orders, purchase card transactions over the micro-purchase threshold (\$3,000), purchase card transactions for services at or below the micro-purchase threshold, interagency agreements, and financial assistance instruments. [PS-540-27, Strategic integrated Procurement Enterprise System \(STRIPES\)](#) is the EMCBC implementing policy for this requirement.

3.2 Key Functions/Services and Processes

The Contracting and Financial Assistance Management System includes subject area descriptions for simplified acquisitions, acquisitions (over the simplified acquisition threshold) and financial assistance, as well as subject areas for document reviews/approvals and small business program requirements.

3.2.1 Review Thresholds and Protocol

The Review Thresholds and Protocol Subject Area provides the monetary thresholds and required review/approvals for all sales, contract, financial assistance, and subcontract actions completed by the EMCBC and supported sites under the authority of the EM HCA. This subject area also contains the process for ratification of unauthorized commitments.

3.2.2 Small Business Program

Pursuant to [FAR 19.201](#), the Government's policy is to provide maximum practicable prime and subcontract opportunities to small business, veteran-owned small business, service-disabled veteran-owned small business, HUBZone small business, small disadvantaged business, and women-owned small business concerns. DOE negotiates goals & targets in various small business categories annually with the Small Business Administration to ensure this policy is fulfilled. This subject area provides guidance for small business contracting processes, small business procurement tools, small business market research, and small business acquisition planning. The processes requiring coordination with the EMCBC Small Business Program are identified in the procedures under the Simplified Acquisitions and Acquisitions (Over Simplified Acquisition Threshold) Subject Areas.

3.2.3 Simplified Acquisitions

The Simplified Acquisitions Subject Area details the methods available to purchase services or supplies that are valued no more than the simplified acquisition threshold (\$150,000). This

subject area contains the procedure for the use of the Government-wide purchase card and for purchases valued no more than the micro-purchase threshold (\$3,000).

3.2.4 Acquisitions (Over Simplified Acquisition Threshold)

This Subject Area includes processes for acquisition planning, the solicitation phase, evaluation, and award. The activities falling within this area are governed by the FAR, DEAR, the DOE Acquisition Guide, and other DOE policies.

3.2.5 Contract Management and Administration

This Subject Area involves managing and administering the contract by (1) establishing requirements and expectations for the contractor, (2) facilitating contractor performance, (3) monitoring and evaluating contractor performance, and (4) providing feedback to the contractor. It also may involve contractor transition.

3.2.5 Financial Assistance

The Financial Assistance Subject Area provides processes in the pre-award, award, and post-award of grants and cooperative agreements (financial assistance awards).

4.0 Requirements

4.1 Primary Responsibility

This Management System has primary responsibility for ("owns") the following requirements:

Document	Title
<u>48 CFR Parts 1-53</u>	Federal Acquisition Regulation
<u>10 CFR Part 600</u>	DOE Financial Assistance Rules
<u>48 CFR Parts 900-970</u>	DOE Acquisition Regulation
<u>DOE G AC</u>	DOE Acquisition Guide
<u>DOE G FA</u>	DOE Guide to Financial Assistance: A Guide to the Award and Administration of Financial Assistance
	<u>Department of Energy Merit Review Guide for Financial Assistance References</u>

<u>DOE ALs</u>	DOE Acquisition Letters
<u>DOE FALs</u>	DOE Financial Assistance Letters
<u>DOE PCARD</u>	DOE Purchase Card Policy and Operating Procedures
<u>DOE Directives</u>	DOE Directives, Delegations, and Requirements

5.0 Subject Areas, Program Descriptions, and Guidance Documents

The following Subject Areas are maintained by this Management System:

- [Review Thresholds and Protocol](#)
- [Small Business Program](#)
- [Simplified Acquisitions](#)
- [Acquisitions \(Over Simplified Acquisition Threshold\)](#)
- [Contract Management and Administration](#)
- [Financial Assistance](#)

6.0 References

[DOE Policy Flashes](#)

[STRIPES](#) (Strategic Integrated Procurement Enterprise System) Manual STRIPES Login
[Guidance for Procurement Officials](#) (Office of Procurement and Acquisition Management website)

[Financial Assistance](#) (Office of Procurement and Acquisition Management website)

[Grants.gov](#)

[Catalog of Federal Domestic Assistance](#)

U.S. Small Business Administration: [Table of Small Business Size Standards Matched to North American Industry Classification System Codes](#)

[Product and Service Codes Manual](#)

[EMCBC Policy Corner](#)

[Acquisition Central](#) (links to acquisition systems, EPLS, ORCA, PPIRS, etc.)